IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

**ORDER**
IN
**S.B. Civil Second Appeal No.398/2006**

Sayed Nafis Miyan Chisti S/o Shri Sayed Gulam Moinuddin Chisti
...plaintiff-appellant
Versus
Dargah Committee, Ajmer through its President
...defendant-respondent

**Date of Order ::: 23.11.2006**

Present
**Hon'ble Mr. Justice Narendra Kumar Jain**

Shri Rajesh Kala, Counsel for appellant

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**By the Court**:-

Heard learned counsel for the appellant.

The plaintiff-appellant filed a suit for permanent injunction, which was partly-decreed by the lower court. The judgment and decree passed by the lower court has also been affirmed by the first appellate court, while dismissing the appeal of the plaintiff. Being aggrieved with the same, this second appeal has been preferred on behalf of the plaintiff.

I have heard the learned counsel for the appellant and after considering his submissions in the light of the findings of both the courts below, I find that the controversial issues involved in the present

case relate to the questions of fact and there is concurrent finding of facts by both the courts below, which cannot be interfered with by this Court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed in limine.

**(Narendra Kumar Jain) J.**

//Jaiman//